



COUNTY OF LOS ANGELES
CLAIMS BOARD
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

John Naimo
Auditor-Controller
Steve Robles
Chief Executive Office
Patrick A. Wu
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold its regular meeting on **Monday, August 5, 2013, at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9).
 - a. Claim of Nationwide a/s/o Jack Schneider

This claim seeks compensation for damages to its insured's real property caused by a ruptured water main line which is maintained by the Department of Public Works; settlement is recommended in the amount of \$36,276.

[See Supporting Documents](#)

- b. Alfonso W. Fierro, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 12-03301 DSF
(JCx)

This lawsuit alleges a violation of civil rights arising from an improper investigation of suspected child abuse conducted by the Department of Children and Family Services; settlement is recommended in the amount of \$275,000.

[See Supporting Documents](#)

- c. Guadalupe Alfaro v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. NC 057 414

This dangerous condition lawsuit arises from injuries received in a trip and fall on a walkway leading to a County health facility; settlement is recommended in the amount of \$40,000.

[See Supporting Documents](#)

- d. James Parker v. County of Los Angeles, et al.
United States District Court Case No. CV 12-0064

This lawsuit concerns allegations of excessive force by Sheriff's Deputies on an incarcerated inmate; settlement is recommended in the amount of \$200,000.

[See Supporting Documents](#)

- e. Jennie Santillan v. County of Los Angeles, et al.
United States District Court Case No. CV 11-7859

This lawsuit concerns allegations that the Sheriff's Department violated an inmate's federal civil rights and rights under the Americans with Disabilities Act during her incarceration by not accommodating her disability; settlement is recommended in the amount of \$35,000.

[See Supporting Documents](#)

- f. K.L. by her Guardian ad Litem, et al. v. City of Glendale, et al.

United States District Court Case No. CV 11-08484 ODW

This lawsuit concerns allegations against the Probation Department for the unlawful detention of minors; settlement is recommended in the amount of \$32,500.

[See Supporting Documents](#)

- g. Claim of Hendrickson Trucking, Inc.

This claim seeks compensation for property damaged in an automobile accident with a Public Library vehicle; settlement is recommended in the amount of \$28,316.51.

[See Supporting Documents](#)

- h. Elsie Mendoza v. County of Los Angeles

Los Angeles Superior Court Case No. VC 061 113

This dangerous condition lawsuit arises from injuries received in a slip and fall on a walkway at a County park; settlement is recommended in the amount of \$50,000.

[See Supporting Documents](#)

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the July 1, 2013, meeting of the Claims Board.

[See Supporting Document](#)

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Nationwide a/s/o Jack Schneider
CASE NUMBER	N/A
COURT	N/A
DATE FILED	May 3, 2012
COUNTY DEPARTMENT	Public Works Special District General Liability Trust Fund— Waterworks Division
PROPOSED SETTLEMENT AMOUNT	\$ 36,276
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Melissa A. McCaverty Deputy County Counsel (213) 974-1206
NATURE OF CASE	This non-litigated subrogation claim arises from a water main break causing flooding to office units owned by the claimant's insured, in the City of Lancaster. A County Waterworks Division crew responded and shut down the ten-inch asbestos/cement water main. Waterworks Division personnel examined the office units on the day of the incident and observed wet carpets, water puddles and mud. Claimant seeks reimbursement for repairs made to the property. The mainline is maintained by the County Department of Public Works. Due

to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this settlement negotiation.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	November 23, 2011
Briefly provide a description of the incident/event:	This claim is the result of a water pipe that broke and flooded various buildings on Lancaster Boulevard in the City of Lancaster, causing water damages to the claimant's three professional suites. On November 23, 2011, at 7:10 a.m., Waterworks Division (WWD) was notified of a major water main break at Beech Avenue and Milling Street. WWD personnel responded within 10 minutes and shut down the 10-inch asbestos/cement water main on Beech Avenue by 8:00 a.m. WWD examined claimant's property at 10:10 a.m., and observed wet carpet and water puddles on the claimant's property that were estimated to be no deeper than ½ inch.

1. Briefly describe the root cause(s) of the claim/lawsuit:

The subject water main, located along Beech Avenue between Lancaster Boulevard and Avenue J had had three major leaks within 3 years, which were all large blow-out type leaks, causing a large longitudinal hole to open up in the pipe and causing a large cavity to form in the street. Upon WWD's investigation, it was concluded that this type of water main failure was not a result of normal pipeline aging, and that these types of water main failures, especially so close in time and distance, was not normal. Public Works suspected there may have been errors at the time of installation. As a result, WWD believed the potential for future failures along this pipeline was significant.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

WWD believed that the Beech Avenue project had a high immediate liability due to frequent major blowouts of the pipeline, the proximity to downtown development, and the high probability of recurrence. In 2010 WWD made the decision to replace approximately 3,100 feet of 10-inch water main along Beech Avenue between Lancaster Boulevard and Avenue J. The Beech Avenue Water Main Pipeline Replacement project was completed by October 16, 2012.

WWD has a running 5-year capital improvement program wherein deficiencies and/or improvement needs of the Waterworks Districts are reviewed each year by WWD and Administration to prioritize and budget projects. WWD considers needs for all facilities, such as tanks, pump stations, and regulating stations, in addition to potential pipeline replacements. As part of that analysis, we review leak histories to revise priorities.

County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)

Steven G. Steinhoff

Signature:

[Signature]

Date:

MAY 14, 2013

Name: (Department Head)

MARK VESTRINA

Signature:

[Signature]

Date:

5/20/13

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.
- ☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

LEO COSTANTINO

Signature:

[Signature]

Date:

6/4/13

CMC:psr

P4:\SCHNEIDER SCAP2

[Handwritten initials]

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Alfonso W. Fierro, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 12-03301 DSF (JCx)
COURT	United States District Court
DATE FILED	4/20/12
COUNTY DEPARTMENT	Department of Children and Family Services and Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 275,000
ATTORNEY FOR PLAINTIFF	Donnie R. Cox Dennis Atchley Law Offices of Donnie R. Cox Paul W. Leehey Law Offices of Paul W. Leehey
COUNTY COUNSEL ATTORNEY	Lauren M. Black Principal Deputy County Counsel Social Services Division
NATURE OF CASE	Civil Rights violations
PAID ATTORNEY FEES, TO DATE	\$ 63,690
PAID COSTS, TO DATE	\$ 3,076

Case Name: Fierro, Skipworth, et al v. COLA, DCFS, et al



Summary Corrective Action Plan

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Date of Incident/event:	April 19, 2011
Briefly provide a description of the incident/event:	As part of an investigation into allegations of physical abuse and siblings "at risk," Los Angeles County Department of Children and Family Services (DCFS) directed the parents of the three involved minor children to the LAC+USC Violence Intervention Program clinic for forensic examinations. Two consent forms were signed by the mother for each of the three minor's examinations. While the physical examinations resulted in findings of minor abrasions and scratches on the two younger children, interviews of the children revealed no concerns of physician/sexual abuse or neglect. As such, the children left LAC+USC in the custody of their mother, who along with the father subsequently alleged that they were coerced, under threat of removal of their children, into signing the consent for forensic examinations and were not allowed to be present for the examinations of their two older children.

1. Briefly describe the root cause(s) of the claim/lawsuit:

1. Lack of specific language relative to parental/guardian consent for forensic examination on the "Conditions of Admission/Clinic Visit;" aka "General Consent" form.
2. Lack of documentation of parental whereabouts; presence/absence during forensic examination.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

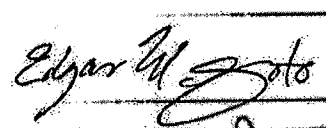
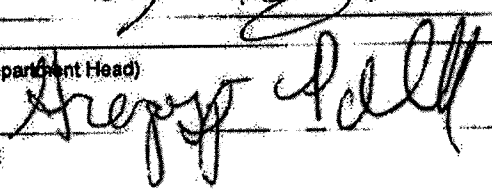
1. DHS is actively engaged with the Office of the County Counsel in efforts to develop a comprehensive policy addressing consent for forensic examination related to child abuse. Said consent will address Federal, State, and case law requirements of patient/parent/guardian forensic consent requirements for child abuse, child sexual abuse, and work to formally address existing case laws recognition of a parents' right to be present during forensic examinations mentioned supra. Enterprise policy development, deployment strategy, and training blueprint related to the above mentioned procedural/administrative processes will be developed within the next six (6) months.
2. Effective July 26, 2013 the LAC+USC Violence Intervention Program (VIP) clinic has implemented a new stopgap protocol/process for documentation of parent/guardian presence/absence during a forensic medical examination.

County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?

☒ Yes – The corrective actions address department-wide system issues.

☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Signature: 	Date: 2/24/13
Name: (Department Head)	
Signature: 	Date: 7/24/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature:	Date:

Case Name: Fierro, Skipworth, et al v. COLA, DCFS, et al



Summary Corrective Action Plan

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Date of incident/event:	April 19, 2011
Briefly provide a description of the incident/event:	As part of an investigation into allegations of physical abuse and siblings "at risk," Los Angeles County Department of Children and Family Services (DCFS) directed the parents of the three involved minor children to the LAC+USC Violence Intervention Program clinic for forensic examinations. Two consent forms were signed by the mother for each of the three minor's examinations. While the physical examinations resulted in findings of minor abrasions and scratches on the two younger children, interviews of the children revealed no concerns of physician/sexual abuse or neglect. As such, the children left LAC+USC in the custody of their mother, who along with the father subsequently alleged that they were coerced, under threat of removal of their children, into signing the consent for forensic examinations and were not allowed to be present for the examinations of their two older children.

1. Briefly describe the root cause(s) of the claim/lawsuit:

1. Lack of specific language relative to parental/guardian consent for forensic examination on the "Conditions of Admission/Clinic Visit," aka "General Consent" form.
2. Lack of documentation of parental whereabouts; presence/absence during forensic examination.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

1. DHS is actively engaged with the Office of the County Counsel in efforts to develop a comprehensive policy addressing consent for forensic examination related to child abuse. Said consent will address Federal, State, and case law requirements of patient/parent/guardian forensic consent requirements for child abuse, child sexual abuse, and work to formally address existing case laws recognition of a parents' right to be present during forensic examinations mentioned supra. Enterprise policy development, deployment strategy, and training blueprint related to the above mentioned procedural/administrative processes will be developed within the next six (6) months.
2. Effective July 26, 2013 the LAC+USC Violence Intervention Program (VIP) clinic has implemented a new stopgap protocol/process for documentation of parent/guardian presence/absence during a forensic medical examination.


County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?

- ☒ Yes – The corrective actions address department-wide system issues.
☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Signature:	Date:

Name: (Department Head)	
Signature:	Date:

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature:	Date:
	7/25/13

Case Name: Fierro v. County of Los Angeles



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	April 2011 through July 2011
Briefly provide a description of the incident/event:	The Plaintiffs alleged that their civil rights were violated as a result of a child abuse investigation in which a parent temporarily left the family home.

1. Briefly describe the root cause(s) of the claim/lawsuit:

In their lawsuit, the Plaintiffs alleged that their civil rights were violated after the parent agreed to temporarily leave the family home during a child abuse investigation. In addition, they further alleged that their children were interviewed and subjected to medical examinations without parental consent.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Department had relevant policies and procedures in effect at the time of the incident.

The Department is continuing to update its protocols regarding consent.

All personnel issues have been addressed.

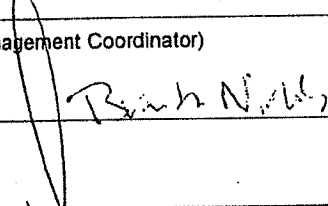
County of Los Angeles
Summary Corrective Action Plan

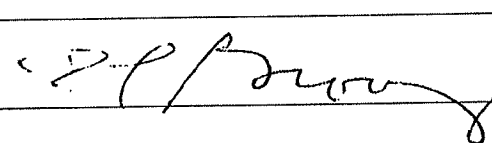
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3. Are the corrective actions addressing department-wide system issues?

☒ Yes – The corrective actions address department-wide system issues.

☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Signature: 	Date: 7-3-13

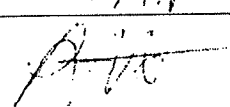
Name: (Department Head)	
Signature: 	Date: 7-3-13

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

☐ Yes, the corrective actions potentially have County-wide applicability.

☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)	
Lee Costantino	
Signature: 	Date: 6/20/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Guadalupe Alfaro v. County of Los Angeles, et al.
CASE NUMBER	NC057414
COURT	Los Angeles Superior Court, Central District
DATE FILED	April 6, 2012
COUNTY DEPARTMENT	Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 40,000
ATTORNEY FOR PLAINTIFF	Werner R. Meissner, Esq A Professional Law Corporation.
COUNTY COUNSEL ATTORNEY	Joanne Nielsen Principal Deputy County Counsel
NATURE OF CASE	Guadalupe Alfaro alleges that the sidewalk leading to the main entrance of the Long Beach Comprehensive Health Center was raised and uneven; this condition caused Plaintiff to trip and fall and was injured. The County disputes liability. A full and final settlement of \$40,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 48,748
PAID COSTS, TO DATE	\$ 7,027

Case Name: Alfaro, Guadalupe



Summary Corrective Action Plan

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Date of incident/event:	April 29, 2011
Briefly provide a description of the incident/event:	On April 29, 2011, Guadalupe Alfaro (Ms. Alfaro) tripped and fell in the front entry area of the Long Beach Comprehensive Health Center (LBCHC). Although Ms. Alfaro's accident was at the entry of LBCHC, she did not enter the facility for treatment but instead chose to treat at Providence Little Company of Mary - San Pedro Hospital, where all X-rays proved negative for fractures. Three and one-half months later, on August 11, 2011, Ms. Alfaro was diagnosed with a right elbow fracture and attributed the condition to the LBCHC area mentioned supra. The County and LBCHC had no prior notice of a dangerous condition and the displacement was subsequently corrected by the DHS' Harbor personnel by January 31, 2013.

1. Briefly describe the root cause(s) of the claim/lawsuit:

Concrete displacement greater than one inch leading to the Long Beach Comprehensive Health Center entry walkway.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Efforts at reducing liability exposure were facilitated by the DHS' Risk Management's Health, Safety and Environmental Unit as follows:


1. Effective June of 2012, enhancement of the CEO's "Facility Evaluations for Loss Prevention and Safety" policy, materialized with a department-wide offering of quarterly inspections conducted by DHS's Risk Management Safety Officers with the focus of identifying deficiencies, via utilization of an inspection checklist, for appropriate remedial, preventive and/or corrective actions.
2. DHS' Injury and Illness Prevention Program (IIPP); Policy 901, was established to provide an enterprise protocol for our non-hospital supported locations in order to ensure provision of a safe work environment by ensuring adherence to all regulatory requirements and promoting/communicating safe work practices with the goal of attaining hazard free offices and facilities.

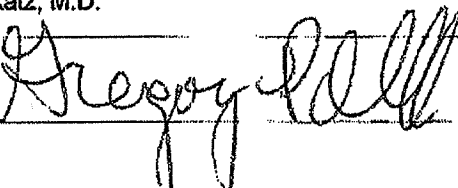
3. Are the corrective actions addressing department-wide system issues?

☒ Yes - The corrective actions address department-wide system issues.

☐ No - The corrective actions are only applicable to the affected parties.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Edgar M. Soto, MBA, CSP, SSGB	
Signature: 	Date: 7/24/13

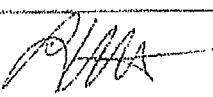
Name: (Department Head) Mitchell H. Katz, M.D.	
Signature: 	Date: 7/24/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Leo Constantino	
Signature:	Date:

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Edgar M. Soto, MBA, CSP, SSGB	
Signature:	Date:

Name: (Department Head) Mitchell H. Katz, M.D.	
Signature:	Date:

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Leo Constantino	
Signature: 	Date: 7/25/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	James Parker v. County of Los Angeles, et al.
CASE NUMBER	CV 12-0064
COURT	United States District Court
DATE FILED	January 4, 2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Dale Galipo
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>Plaintiff James Parker alleges his federal civil rights were violated when he was subjected to excessive force by the Los Angeles County Sheriff's Department.</p> <p>The Deputies contend that the force used was reasonable in response to Mr. Parker's violence and resistance.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$200,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 210,446
PAID COSTS, TO DATE	\$ 16,247

Case Name: James Parker v. County of Los Angeles, et al.



Summary Corrective Action Plan

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Date of incident/event:	Monday, January 24, 2011; approximately 5:45 p.m.
Briefly provide a description of the incident/event:	<p><u>James Parker v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-013</p> <p>On Monday, January 24, 2011, at approximately 5:45 p.m., the plaintiff, without provocation or warning, initiated a violent physical altercation with a Los Angeles County deputy sheriff by punching the deputy sheriff in the face. As a result, two deputy sheriffs used physical force to overcome the resistance offered by the plaintiff. The plaintiff was subsequently restrained and ultimately handcuffed.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In his lawsuit, the plaintiff alleged he was subjected to excessive force by members of the Los Angeles County Sheriff's Department and denied timely medical treatment while incarcerated in the Los Angeles County jail system.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

This incident was thoroughly reviewed by representatives from the Los Angeles County Sheriff's Department's Twin Towers Correctional Facility. Their review found that the physical force used by the two deputy sheriffs to overcome the resistance offered by the plaintiff was reasonable, necessary, and in compliance with Department policy.


The incident also was investigated by representatives from the Los Angeles County Sheriff's Department's Internal Affairs Bureau. Their investigation determined that one deputy sheriff engaged in misconduct. Appropriate administrative action was taken.

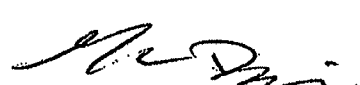
County of Los Angeles
Summary Corrective Action Plan

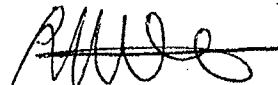
3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/27/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 6/28/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO CASTANTINO	
Signature: 	Date: 7/18/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jennie Santillan v. County of Los Angeles, et al.
CASE NUMBER	Case No. CV 11-7859 GAF
COURT	United States District Court
DATE FILED	September 22, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Paula D. Pearlman, Esq. Disability Rights Legal Center
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>This is a recommendation to settle for \$35,000, the civil rights lawsuit filed by Jennie Santillan, who alleges that the Sheriff's Department violated her federal civil rights and rights under the Americans with Disabilities Act ("ADA") during her incarceration at the Century Regional Detention Facility.</p> <p>The Sheriff's Department contends that Ms. Santillan was provided with proper medical treatment and a wheelchair during his incarceration.</p> <p>However, due to the risks and uncertainties of litigation, a full and</p>

final settlement of the case in the
amount of \$35,000 is
recommended.

PAID ATTORNEY FEES, TO DATE	\$	149,840
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PAID COSTS, TO DATE	\$	5,025
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Case Name: Jennie Santillan v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of Incident/event:	Wednesday, July 14, 2010
Briefly provide a description of the incident/event:	<p><u>Jennie Santillan v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-011</p> <p>On Saturday, July 10, 2010, the plaintiff was arrested by members of the Los Angeles Police Department and ultimately transferred into the custody of the Los Angeles County Sheriff's Department. She was incarcerated in the Century Regional Detention Center. The plaintiff asserted that upon her release from custody on July 14, 2010, she was denied access to a wheelchair.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In her lawsuit, the plaintiff alleged the Los Angeles County Sheriff's Department violated the Americans with Disabilities Act.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

While the Los Angeles County Sheriff's Department had relevant procedures/protocols in effect at the time of the incident, there is no formal policy to address the release of wheelchair-bound individuals from custody.

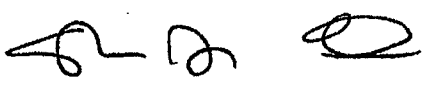
The Los Angeles County Sheriff's Department's Americans with Disabilities Act Unit will enact a policy to address the release of wheelchair-bound individuals from custody. The policy will be researched, reviewed, approved, and implemented by December 31, 2013.

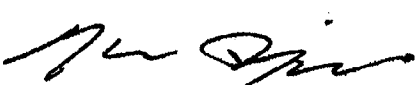
3. Are the corrective actions addressing department-wide system issues?

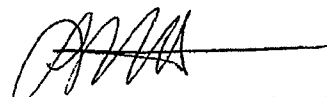
- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

County of Los Angeles
Summary Corrective Action Plan

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 7/2/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 7/5/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO COSTANTINO	
Signature: 	Date: 7/18/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	K.L. by her Guardian ad Litem, et al. v. City of Glendale, et al.
CASE NUMBER	CV1108484 ODW
COURT	United States District Court
DATE FILED	Complaint filed: October 13, 2011 Claim: March 22, 2011
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ \$32,500
ATTORNEY FOR PLAINTIFF	David B. Sapp, Esq. Peter Bibring, Esq. ACLU Foundation of Southern California
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>This is a recommendation to settle for \$32,500, inclusive of attorneys' fees and costs, the lawsuit filed by K.L., a minor child and seven other high school students against the County of Los Angeles and two Probation Department employees alleging federal civil right violations for false arrest.</p> <p>The case stems from a seminar regarding gang prevention that Plaintiffs claim they were forced to attend at Hoover High School. Plaintiffs claim they were unlawfully detained and searched</p>

without their consent.

In light of the potential for high exposure and the uncertainties of litigation, a full and final settlement of the case in the amount of \$32,500 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	7,479
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PAID COSTS, TO DATE	\$	0
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Case Name: K. L. et al., v. COLA



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	September 24, 2010
Briefly provide a description of the incident/event:	On September 24, 2010, from 12:21p.m. to 1:51p.m., approximately 56 students that appear to be Latino were allegedly taken into classrooms detained, interrogated, and photographed by administrators, officers and others at Glendale Unified School District (GUSD) Hoover High School (HHS). Probation School-Based Supervision (SBS) staff were on-site and involved during the activity associated with their Juvenile Justice Crime Prevention Act (JJCPA) duties to reduce crime and delinquency. The claimants allege they were selected because they were associated with gang members and hung out in gang territory. The claimants also allege that police interviewed them individually asking for personal information, about any tattoos or scars, about any criminal history, etc. It is also alleged that the police officers wrote down their information and photographed the students. In March 2011, plaintiff filed a Government Tort Claim alleging negligence.

1. Briefly describe the root cause(s) of the claim/lawsuit:

The initial incident stems from School Officials and Law Enforcement Officers efforts to reduce crime and delinquency based on observing students school grounds associations with gang members. A root cause factor analysis was conducted including, but not limited to:

- Exposure area relates to a perceived violation of privacy rights.
- Compounding factors include:
 - School Board Policy allows school officials to search individual students when there is a reasonable suspicion.
 - Probation SBS employees are not considered school officials.
 - Probation SBS employees participated in the activity without having:
 - Warrantless search conditions
 - A court order
 - Parental consent
 - School officials did not secure parental consent for student participation prior to the activity.

Based upon the outcome of the above-referenced root cause analysis the Department has determined root cause factors include:

- Probation SBS employees:
 - Limited application of policy related to search conditions.

This matter is being settled to mitigate associated legal costs and to avoid a potentially adverse verdict associated with the root cause factors.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

ROOT-CAUSE Recommended Corrective Action:

Task #1 Name: Condition of Probation Policy Reinforcement

System Issue: ☒ Process/Procedure/Personnel

Responsible Person: Daniel Aceves

Task Description:

1. The Department **reinforced policy** in Juvenile Manual (JM) Section 1500 related to Conditions of Probation. Reinforcement was done by using at least one of the following mechanisms: (1) Discussion in staff meetings, (2) Individual staff review with supervisors, (3) Posted in an area frequented by staff, or (4) Electronic distribution. The policy includes, but is not limited to the following information:
 - a. Deputy Probation Officer (DPO) recommends search and seizure conditions for cases involving gangs, drugs and weapons.

This task was completed by the end of March 2013 and is on-going based on operational needs.

Task #2 Name: Search & Seizure Special Bulletin

System Issue: ☒ Process/Procedure/Personnel

Responsible Person: Daniel Aceves

Task Description:

1. The Department will develop, distribute and present a Search & Seizure Special Bulletin with the assistance of County Counsel. The bulletin will be presented to managers and SBS staff. Distribution and Presentation will be done by using at least one of the following mechanisms: (1) Discussion in staff meetings, (2)

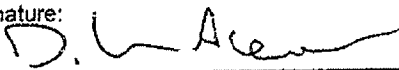
Individual staff review with supervisors, (3) Posted in an area frequented by staff, or (4) Electronic distribution. The policy includes, but is not limited to the following information:


- a. Search & Seizure areas referenced will include, but not be limited to:
 - i. United States Constitution
 - ii. California Constitution
 - iii. Applicable Caselaw
 - iv. Probation Department associated policies
 - v. SBS staff need to consult with bureau management prior to participating in multi-jurisdictional efforts.

This task will be completed by the end of June 2013 and will be on-going based on operational needs.

3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
- ☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Signature: 	Date: 7/16/13

Name: (Department Head)	
Ida Leon Ramos	
Signature: 	Date: 7/24/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LED COSTANTINO	5-24-13

County of Los Angeles
Summary Corrective Action Plan

Signature:	Date:
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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME Unlitigated Claim of Hendrickson
Trucking, Inc.

CASE NUMBER N/A

COURT N/A

DATE FILED February 23, 2011

COUNTY DEPARTMENT Public Library

PROPOSED SETTLEMENT AMOUNT \$ 28,316.51

ATTORNEY FOR PLAINTIFF None

COUNTY COUNSEL ATTORNEY Brian T. Chu
Principal Deputy County Counsel

NATURE OF CASE This is a claim alleging motor vehicle negligence for a multi-vehicle accident which occurred on February 1, 2011, on the eastbound Interstate-210 Freeway. Hendrickson Trucking, Inc., owner of the tractor-trailer rig involved in the incident, claims damages for repair costs and the associated loss of use costs.

Due to the risks and uncertainties of litigation, a full and final settlement of this claim in the appropriate amount of \$28,316.51 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	0
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PAID COSTS, TO DATE	\$	0
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Case Name: 22-1086956*001 Hendrickson Trucking



Summary Corrective Action Plan

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Date of incident/event:	February 1, 2011
Briefly provide a description of the incident/event:	<p>Trung Xa, Senior General Maintenance Worker, has been an employee of the County of Los Angeles County Public Library since December 3, 2001. On February 1, 2011, he was driving a County owned pick-up truck headed eastbound on the I-210 Fwy. According to Mr. Xa, he hit a dip in the road that caused his vehicle to swerve into Steven Mead's (Claimant), Hendrickson Trucking, vehicle resulting in a multi-vehicle collision as follows:</p> <ol style="list-style-type: none">1. Mr. Xa was driving in lane #4 when he swerved and struck the right side of Claimant's vehicle in lane #3.2. Claimant's vehicle was pushed into lane #2 where he collided into the rear of a second L.A. County Public Library owned vehicle.3. Claimant's vehicle continued across lanes #2 and #1 and came to rest in a dirt embankment. <p>Mr. Xa has no prior or subsequent vehicle accidents.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:


According to California Highway Patrol (CHP) Report # 2011.02.009, Mr. Xa made an unsafe lane change resulting in a collision with the Claimant's truck.

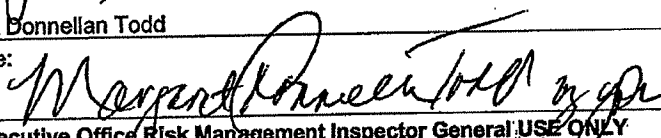
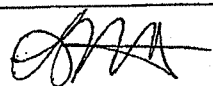
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- The Library has participated in the DMV- Employer Pull Notice Program for more than 10 years. Human Resources (HR) and Facilities staff are responsive for providing new hires, transferring, and newly promoted employees in designated positions the Authorization for Release of Driver Record Information. HR staff is responsible for monitoring DMV notices.
- In August 2011, HR staff reviewed positions required to drive on County business and determined the Library's Information Technology (IT) staff needed to be enrolled in the DMV - Employer Pull Notice Program. IT staff names were submitted on August 30, 2011.
- Effective September 29, 2011, the Library's Safety Officer implemented Vehicle Accident Review (VAR) Procedures that included a VAR committee and guidelines for disciplinary action.
- Effective January 2012, Defensive Driving Training would no longer be offered only once a year. The Library's Safety Officer is responsible for scheduling the training as needed, such as following a recommendation from the VAR Committee as part of an employee's corrective action or for new hires.
- Mr. Xa received the following disciplinary action:
 - On February 8, 2011 he received a Confirmation of Counseling and was reissued copies of Departmental Safety policies and procedures
 - Attended Defensive Driving Training on January 12, 2012

County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?
- ☒ Yes – The corrective actions address department-wide system issues.
- ☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Yolanda De Ramus	
Signature: 	Date: 5/28/2013

Name: (Department Head)	
Margaret Donnellan Todd	
Signature: 	Date: 5/28/2013
Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature: 	Date: 6/10/13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Elsie Mendoza v. County of Los Angeles
CASE NUMBER	VC061113
COURT	Los Angeles Superior Court
DATE FILED	March 13, 2012
COUNTY DEPARTMENT	Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Todd B. Becker
COUNTY COUNSEL ATTORNEY	Jenny P. Tam Senior Associate County Counsel
NATURE OF CASE	This lawsuit arises from a slip and fall at Cerritos Regional Park where plaintiff slipped on a puddle of water on the walkway. Due to the risks and uncertainties of litigation, a full settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 14,548
PAID COSTS, TO DATE	\$ 1,310.54



Summary Corrective Action Plan

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Date of incident/event:	08/10/2010
Briefly provide a description of the incident/event:	Plaintiff was approaching the pool area while walking in the park when she stopped before reaching a puddle to help her sister on a ledge. She claims she didn't see the puddle ahead of her which allegedly had algae. Plaintiff stepped in the puddle and slipped sustaining a left ankle fracture.

1. Briefly describe the root cause(s) of the claim/lawsuit:

Accumulation of slippery algae in a small puddle (2 ft. by 3 ft) immediately outside of the fence surrounding the pool area. The pool area was being rinsed off every morning during the pool season (June-August) and even though water from the daily rinse affected the areas outside of the fence, pool employees never inspected the area since it was outside of the fence.


2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


- In August 2010, Cerritos Pool wrote Daily Opening Procedures for their staff which included sweeping of the wet areas outside the fence
- Department wide, pool crews get trained on opening procedures prior to each pool season and as needed throughout the season. This year they all got trained prior to the June 15, 2013 pool season start date.


- By December 2013, DPR will standardize their Daily Opening and Maintenance checklist among all their agencies.

3. Are the corrective actions addressing department-wide system issues?

- ☒ Yes – The corrective actions address department-wide system issues.
☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Anush Gambaryan	
Signature: 	Date: 7-11-13

Name: (Department Head)	
Russ Guiney	
Signature: 	Date: 7-17-13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature: 	Date: 7-10-13